

# Emergency Rules

## Title 2—DEPARTMENT OF AGRICULTURE Division 30—Animal Health Chapter 2—Health Requirements for Movement of Livestock, Poultry and Exotic Animals

### EMERGENCY AMENDMENT

**2 CSR 30-2.010 Health Requirements Governing the Admission of Livestock, Poultry and Exotic Animals Entering Missouri.** The director of agriculture is amending paragraphs (4)(D)1. and 2. and adding paragraph (4)(D)3.

**PURPOSE:** *This emergency amendment will help control the spread of tuberculosis from cattle entering Missouri from states with a high incidence of tuberculosis.*

**EMERGENCY STATEMENT:** *Tuberculosis is an infectious and contagious disease to the livestock industry and it is also a threat to public health safety and welfare as it is transmissible to humans.*

*In the past year, there were twelve (12) reported cases of tuberculosis in the cattle industry of the United States. This proposed amendment will give Missouri additional protection of its livestock industry and public welfare from the introduction of an infectious and contagious disease.*

*The agency has weighed the compelling governmental interest against the due process rights of the public to notice and comment. In light of potential threat to the public health, there is a compelling governmental interest to enact this rule through emergency rulemaking.*

*The scope of this rule is limited to the circumstances which created this emergency and complies with the protection extended in the Missouri and United States Constitutions. In developing this rule the agency has encouraged discussion with interested parties and provided them the opportunity to offer their comments. The agency believes this emergency amendment to be fair to all persons and parties under the circumstances. This emergency amendment was filed on December 2, 2004 effective December 12, 2004, expires May 31, 2005.*

#### (4) Cattle

##### (D) Tuberculosis.

1. *[All breeding cattle eight (8) months of age or over entering Missouri must meet one (1) of the following requirements:] All sexually intact dairy cattle six (6) months of age and older must be negative to an official tuberculosis test within sixty (60) days prior to entry.*

*A. Originate from a tuberculosis-free state;*

*B. Originate from a tuberculosis-accredited free herd.*

*The herd number and current herd test date must be shown on the Certificate of Veterinary Inspection;*

*C. Test negative within thirty (30) days of shipment;*

*D. Originate from a state having a reciprocal agreement with Missouri.*

*E. All sexually intact cattle and bison, from any foreign country or part thereof with no recognized tuberculosis status comparable to the Uniform Methods and Rules standards of the U.S. Bovine Tuberculosis Eradication Program, imported for reasons other than immediate slaughter or feeding for slaughter must meet the following criteria:*

*(I) Obtain a permit issued by the Missouri Department of Agriculture prior to entry; and*

*(II) Be quarantined to the Missouri premises approved in the entry permit pending two (2) consecutive negative tuberculosis tests. The first test to be conducted not less than ninety (90) nor more than one hundred twenty (120) days after arrival and the second test to be not less*

*than two hundred ten (210) days nor more than two hundred forty (240) days after arrival in Missouri; or*

*F. Importation of steers and spayed heifers from Mexico.*

*(I) Steers and spayed heifers from Mexican states that have been determined by the state veterinarian of Missouri, based on the recommendation of the Bi-National Committee, to have fully implemented the Control/Preparatory Phase of the Mexican Tuberculosis Eradication Program may enter Missouri provided they have been tested negative for tuberculosis in accordance with the Norma Oficial Mexicana (NOM) within sixty (60) days prior to entry into the United States and obtain an entry permit prior to entering Missouri.*

*(II) Steers and spayed heifers from Mexican states that have been determined by the state veterinarian of Missouri, based on the recommendation of the Bi-National Committee to have fully implemented the Eradication Phase of the Mexican Tuberculosis Eradication Program by March 1, 1997, may enter Missouri provided they have been tested negative for tuberculosis in accordance with the Norma Oficial Mexicana (NOM) within sixty (60) days prior to entry into the United States. Steers and spayed heifers from these same Mexican states that originate from herds equal to U.S. Accredited TB-Free herds may enter Missouri without testing provided they are moved directly from the herd of origin across the border as a single group and not commingled with other cattle prior to arriving at the border and obtain an entry permit prior to entering Missouri.*

*(III) Steers and spayed heifers from Mexican states that have been determined by the state veterinarian of Missouri, based on the recommendation of the Bi-National Committee, to have achieved Accredited Free status may enter Missouri without testing provided they are moved as a single group and not commingled with cattle of a different status prior to arriving to the border and obtain an entry permit prior to entering Missouri.*

*(IV) Holstein and Holstein-cross steers and spayed heifers from Mexico are prohibited from entering Missouri regardless of test history.*

*(V) Rodeo stock from Mexico must be tested negative for tuberculosis within sixty (60) days prior to their utilization as rodeo or roping stock under the supervision of a USDA/APHIS port veterinarian or by a U.S. accredited veterinarian, retested for tuberculosis every twelve (12) months thereafter, and obtain an entry permit prior to entering Missouri. No sexually intact rodeo stock from Mexico will be permitted into Missouri.]*

2. *[The state veterinarian may designate high incidence areas within certain states that must meet additional import restrictions and retest requirements.] All beef breeding cattle eight (8) months of age or over entering Missouri must meet one (1) of the following requirements:*

*A. Originate from a tuberculosis-free state;*

*B. Originate from a tuberculosis-accredited free herd. The herd number and current herd test date must be shown on the Certificate of Veterinary Inspection;*

*C. Test negative within sixty (60) days of shipment;*

*D. Originate from a state having a reciprocal agreement with Missouri.*

*E. All sexually intact cattle and bison, from any foreign country or part thereof with no recognized tuberculosis status comparable to the Uniform Methods and Rules standards of the U.S. Bovine Tuberculosis Eradication Program, imported for reasons other than immediate slaughter or feeding for slaughter must meet the following criteria:*

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(I) Obtain a permit issued by the Missouri Department of Agriculture prior to entry; and

(II) Be quarantined to the Missouri premises approved in the entry permit pending two (2) consecutive negative tuberculosis tests. The first test to be conducted not less than ninety (90) nor more than one hundred twenty (120) days after arrival and the second test to be not less than two hundred ten (210) days nor more than two hundred forty (240) days after arrival in Missouri; or

F. Importation of steers and spayed heifers from Mexico.

(I) Steers and spayed heifers from Mexican states that have been determined by the state veterinarian of Missouri, based on the recommendation of the Bi-National Committee, to have fully implemented the Control/Preparatory Phase of the Mexican Tuberculosis Eradication Program may enter Missouri provided they have been tested negative for tuberculosis in accordance with the Norma Oficial Mexicana (NOM) within sixty (60) days prior to entry into the United States and obtain an entry permit prior to entering Missouri.

(II) Steers and spayed heifers from Mexican states that have been determined by the state veterinarian of Missouri, based on the recommendation of the Bi-National Committee to have fully implemented the Eradication Phase of the Mexican Tuberculosis Eradication Program by March 1, 1997, may enter Missouri provided they have been tested negative for tuberculosis in accordance with the Norma Oficial Mexicana (NOM) within sixty (60) days prior to entry into the United States. Steers and spayed heifers from these same Mexican states that originate from herds equal to U.S. Accredited TB-Free herds may enter Missouri without testing provided they are moved directly from the herd of origin across the border as a single group and not commingled with other cattle prior to arriving at the border and obtain an entry permit prior to entering Missouri.

(III) Steers and spayed heifers from Mexican states that have been determined by the state veterinarian of Missouri, based on the recommendation of the Bi-National Committee, to have achieved Accredited Free status may enter Missouri without testing provided they are moved as a single group and not commingled with cattle of a different status prior to arriving to the border and obtain an entry permit prior to entering Missouri.

(IV) Holstein and Holstein-cross steers and spayed heifers from Mexico are prohibited from entering Missouri regardless of test history.

(V) Rodeo stock from Mexico must be tested negative for tuberculosis within sixty (60) days prior to their utilization as rodeo or roping stock under the supervision of a USDA/APHIS port veterinarian or by a U.S. accredited veterinarian, retested for tuberculosis every twelve (12) months thereafter, and obtain an entry permit prior to entering Missouri. No sexually intact rodeo stock from Mexico will be permitted into Missouri.

3. The state veterinarian may designate high incidence areas within certain states that must meet additional import restrictions and retest requirements.

*AUTHORITY: 267.645, RSMo 2000. This version of rule filed Jan. 24, 1995, effective Feb. 3, 1995. For intervening history, please consult the Code of State Regulations. Emergency amendment filed Dec. 2, 2004, effective Dec. 12, 2004, expires May 31, 2005. An emergency and proposed amendment covering this same material will be published in the Jan. 18, 2005 issue of the Missouri Register.*